

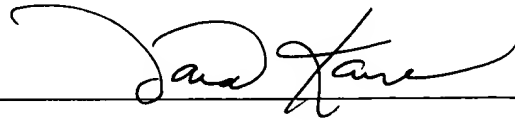
"Express Mail" Label No. 69976426 US
Date of Deposit May 31, 2001

PATENT
Attorney Docket No.: 15542-000550US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

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Washington, D.C. 20231

By: _____



JC997 U.S. PTO
09/872503
05/31/01

5
196

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GREEN *et al.*

Application No.: Unassigned (Div. of
09/368,449)

Filed: Herewith

For: PHARMACEUTICAL LYSINE-
CONTAINING POLYPEPTIDE
COMPOSITIONS AND METHODS OF
USE THEREOF

Examiner: A. Davenport

Art Unit: 1653

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

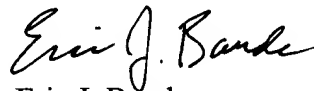
The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Submitted herewith are copies of the Information Disclosure Statement filed January 5, 2001 and the Supplemental Information Disclosure Statement filed April 3, 2001 in parent case 09/368,449. Copies of the references cited therein are already of record and thus have not been included herewith. . It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the

references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.


Respectfully submitted,



Eric J. Baude
Reg. No. 47,413

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FORM PTO-1449 (Modified)			Attorney Docket No.: 15542-000550US		Application No.: Unassigned	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			Applicant: GREEN <i>et al.</i>			
			Filing Date: May 31, 2001		Group: Unassigned	
Reference Designation			U.S. PATENT DOCUMENTS			Page 1
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
A	5,100,663	03/31/92	Gottlieb			JC997 U.S. PTO 09/08/2503 05/31/01
B	5,093,321	03/03/92	Gottlieb			
C	5,081,108	01/14/92	Gottlieb			
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H	4,826,680	05/02/89	Jaeger			
I	4,814,434	03/21/89	Goldfarb			
J	4,753,927	01/28/88	Hahn			
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L	4,722,999	02/02/88	Handschumacher <i>et al.</i>			
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O	4,696,915	09/29/87	Horecker			
P	4,659,694	04/21/87	Horecker			
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R	4,621,135	11/04/86	Trainin <i>et al.</i>			
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T	4,612,365	09/16/86	Birr <i>et al.</i>			
U	4,599,231	07/08/86	Milich <i>et al.</i>			
V	4,571,336	02/18/86	Houck <i>et al.</i>			
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___ AZ	4,038,282	07/26/77	Hirschmann <i>et al.</i>			
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___ BB	4,002,602	01/11/77	Goldstein			
___ BC	3,803,118	04/09/74	Bennett <i>et al.</i>			
FOREIGN PATENT DOCUMENTS						
	Document	Date	Country	Class	Sub-class	Translation (Yes/No)
___ BD	WO89/06134	07/13/89	PCT			
___ BE	0 164 654	05/30/85	Europe			
___ BF	1 363 801	08/21/74	Great Britain			
___ BG	WO93/08816	05/13/93	PCT (Green)			
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ BH	Anisimov <i>et al.</i> , "Carcinogenesis and Aging," <i>Mechanisms of Ageing and Development</i> , 19:245-258 (1982)					
___ BI	Anisimov <i>et al.</i> , "Effect of Low-Molecular-Weight Factors of Thymus and Pineal Gland on Life Span and Spontaneous Tumour Development in Female Mice of Different Age," <i>Mechanisms of Ageing and Development</i> , 49:245-257 (1989)					
___ BJ	Belokrylov <i>et al.</i> , "A Low-Molecular-Weight Homogeneous Fraction of the Thymus Stimulating Immunogenesis," <i>Bulletin of Experimental Biology</i> , 84(7):56-58 (1977)					
___ BK	Belokrylov <i>et al.</i> , "Effect of a Highly Purified Factor From the Thymus on Cellular and Humoral Indices of Immunity in Thymectomized Mice," <i>Bulletin of Experimental Biology</i> , 86(7):51-53 (1978)					
___ BL	Bespalov <i>et al.</i> , "The Inhibitory Effect of Thymogen on Esophageal and Entric Tumor Growth Induced By an Ethyl Ether of N-Nitrososarcosine in Rats," <i>Eksp. Onkol. Chemical Abstracts III</i> , Abstract No. 146389R, 11(4):23-6 (Russ.) (October 23, 1989).					
___ BM	Cytomedins (Bulletin) "Peptide Bioregulators," 04/13/90, Russia					
___ BN	Gavrilenko <i>et al.</i> , "Effect of Thymalin on the Cyclic Nucleotide System in the Mouse Spleen," <i>Bulletin of Experimental Biology</i> , 93(4):39-40 (1982)					

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_____ BO	Goldstein <i>et al.</i> , "Purification and Biological Activity of Thymosin, a Hormone of the Thymus Gland," <i>Proc. Natl. Acad. Sci. USA</i> , 69 :1800-1803 (1972)		
_____ BP	R.S. Chen, "Chemical Abstracts, Vol. 111 (7), Abstract No. 55230R (1989)		
_____ BQ	Fauszt <i>et al.</i> , "Synthesis of a proposed porcine growth hormone-releasing hormone (GH-RH) and the N-terminal decapeptide of the β -chain of human hemoglobin," <i>Chemical Abstracts</i> , Vol. 82 (11), Abstract No. 73453C (1975)		
_____ BR	Kuznik <i>et al.</i> , "Effect of Histamine and Thymaline on Blood Coagulability and Fibrinolysis in Intact and Thymectomized Rats," <i>Bulletin of Experimental Biology</i> , 94 (9):27-29 (1982)		
_____ BS	Kusnik <i>et al.</i> , "Effect of Adrenalin and Thymus Factor on Blood Clotting Fibrinolysis in Healthy and Thymectomized Rats," <i>Bulletin of Experimental Biology</i> , 92 (9):264-266 (1981)		
_____ BT	Low <i>et al.</i> , "Complete amino acid sequence of bovine thymosin β_4 : A thymic hormone that induces terminal deoxynucleotidyl transferase activity in thymocyte populations," <i>Proceedings of the National Academy of Science</i> , 78 :1162-1166 (1981)		
_____ BU	Rodionov <i>et al.</i> , "The Immunocorrective Therapy of Pyodermas induced by Antibiotic-Polyresistant Staphylococci," <i>Vestn. Dermatol. Venerol.</i> , 1 :42-45 (1990) (Medline Abstract 90224329)		
_____ BV	Solov'ev <i>et al.</i> , "Physiologically Active Substances Isolated from the Effects on Wound Healing After Cryosurgical Destruction in Rats," <i>Bulletin of Experimental Biology</i> , 84 (9):355-358 (1977)		
_____ BW	Solov'ev <i>et al.</i> , "Morphological Changes in the Thymus After Thymalin Administration in Experimental Osteomyelitis," <i>Bulletin of Experimental Biology</i> , 95 (6):123-124 (1983)		
_____ BX	"Thymogen" (Bulletin) 11/11/89 published by Cytomed (Leningrad)		
_____ BY	Yakovlev <i>et al.</i> , <u>Resistance Stress Regulation</u> , Nauka Publishers (Leningrad) pp. 90-93, 174-205 (1990)		
_____ BZ	<i>Remington's Pharmaceutical Science</i> , 17th ed., Mack Publishing Co., Easton, PA (1980)		
_____ CA	Solov'ev <i>et al.</i> , "Morphological Changes in the Thymus After Thymalin Administration in Experimental Osteomyelitis," <i>Bulletin of Experimental Biology</i> , 95 (6):123-124 (1983)		
_____ CB	Tam <i>et al.</i> , " S_N2 Deprotection of Synthetic Peptides with a Low Concentration of HF in Dimethyl Sulfide: Evidence and Application in Peptide Synthesis," <i>J. Am. Chem. Soc.</i> , 105 :6442-6455 (1983)		
_____ CC	Declaration of Lawrence R. Green (June 3, 1996).		
_____ CD	R.S. Chen, "Monte Carlo Simulations for the Study of Hemoglobin-Fragment Conformations," <i>Journal of Computational Chemistry</i> , 10 (4):488-494 (1989)		
_____ CE	Bennett <i>et al.</i> , "Hemopeptides," <i>Chemical Abstracts</i> , 78 (7) Abstract No. 43980 (1973)		
_____ CF	Hirschmann <i>et al.</i> , "Lysine-containing peptides," <i>Chemical Abstracts</i> , 79 (11) Abstract No. 66820e (1973)		
_____ CG	Giori <i>et al.</i> , "Synthesis of some analogs of a proposed hypothalamic hormone," <i>Chemical Abstracts</i> , 89 (25) Abstract No. 215752v (1978)		
_____ CH	Cola <i>et al.</i> , "Synthetic peptides reproducing the EGF-receptor segment homologous to the pp60 ^{v-src} phosphoacceptor site," <i>Chemical Abstracts</i> , 111 (15) Abstract No. 129603p (1989)		
EXAMINER		DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

#5
JC997 U.S. PTO

09/872503



TO THE U.S. PATENT & TRADEMARK OFFICE

Please stamp the date of receipt of the following document(s)
and return this card to us:

RE: Green et al. PHARMACEUTICAL LYSINE-CONTAINING
TITLE OF DOCUMENT(S): POLYPEPTIDE COMPOSITIONS AND METHO
OF USE THEREOF

Supp. Info. Disc. Statement; PTO 1449; copies of 3 refs.

Application No. 09/368,449
File No. 015542-000540US
Date Due 5/29/01
Date Mailed April 3, 2001
Atty/Secty. EJB/dgk

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 15542-000540US
Client Reference No.: 119

Attn: Group Director
Assistant Commissioner for Patents
Washington, D.C. 20231

On 4/3/01

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]

JC997 U.S. PTO
09/872503
05/31/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GREEN *et al.*

Application No.: 09/368,449

Filed: August 4, 1999

For: PHARMACEUTICAL LYSINE-
CONTAINING POLYPEPTIDE
COMPOSITIONS AND METHODS OF
USE THEREOF

Group Director: 1653

Examiner: Avis M. Davenport

Art Unit: 1653

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Attn: Group Director
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The three cited references were previously disclosed with the Information Disclosure Statement filed January 5, 2001 in the above-referenced serial number. Through clerical error and without deceptive intent, the signature and/or publication dates of these

references were omitted from the PTO-1449 filed with the above-referenced Information Disclosure Statement. Copies bearing the pertinent dates are submitted herewith to correct this deficiency. Applicants respectfully bring to the attention of the Office the Supplemental Notice of Allowability mailed June 16, 1996, attaching the initialed copy of the PTO-1449 filed July 29, 1996 in parent case 08/484,511, in which the three aforementioned references were reviewed and initialed by the Examiner. A copy of the June 16, 1996 Notice is attached for the convenience of the Office.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed after the mailing date of the final Office Action or Notice of Allowance. Enclosed is a Petition requesting consideration of this IDS.

Applicants believe that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Eric J. Baude
Reg. No. 47,413

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
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Fax: 415-576-0300
EJB:dk

TO THE U.S. PATENT AND TRADEMARK OFFICE

Please stamp the date of receipt of the following document(s) and return this card to us

RE: Green et al.

TITLE OF DOCUMENT(S):

Information Disclosure Statement (in triplicate)

PTO-1449

References A-CH

Application No.: 09/368,449

File No. 015542-000540

Date Due _____

Date Mailed 1-5-01

Atty/Secty. WBK/jkh

SF 1018344 v1

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Assistant Commissioner for Patents
Washington, D.C. 20231

PATENT
Attorney Docket No.: 15542-000540US
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On 1-5-01

TOWNSEND and TOWNSEND and CREW LLP

By: Linda Shaffer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GREEN et al.

Application No.: 09/368,449

Filed: August 4, 1999

For: PHARMACEUTICAL LYSINE-
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Examiner: Avis M. Davenport

Art Unit: 1653

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Assistant Commissioner for Patents
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no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action.

Please deduct \$180.00, pursuant to 37 CFR §1.17(p), from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

This Petition is submitted in triplicate.

Respectfully submitted,



William B. Kezer
Reg. No. 37,369

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San Francisco, California 94111-3834
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Fax: 415-576-0300
WBK:jkh

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___ BI	Anisimov <i>et al.</i> , "Effect of Low-Molecular-Weight Factors of Thymus and Pineal Gland on Life Span and Spontaneous Tumour Development in Female Mice of Different Age," <i>Mechanisms of Ageing and Development</i> , 49:245-257 (1989)					
___ BJ	Belokrylov <i>et al.</i> , "A Low-Molecular-Weight Homogeneous Fraction of the Thymus Stimulating Immunogenesis," <i>Bulletin of Experimental Biology</i> , 84(7):56-58 (1977)					
___ BK	Belokrylov <i>et al.</i> , "Effect of a Highly Purified Factor From the Thymus on Cellular and Humoral Indices of Immunity in Thymectomized Mice," <i>Bulletin of Experimental Biology</i> , 86(7):51-53 (1978)					
___ BL	Bespalov <i>et al.</i> , "The Inhibitory Effect of Thymogen on Esophageal and Entic Tumor Growth Induced By an Ethyl Ether of N-Nitrososarcosine in Rats," <i>Eksp. Onkol. Chemical Abstracts III</i> , Abstract No. 146389R, 11(4):23-6 (Russ.)					
___ BM	Cytomedins (Bulletin) "Peptide Bioregulators," 04/13/90, Russia					
___ BN	Gavrilenko <i>et al.</i> , "Effect of Thymalin on the Cyclic Nucleotide System in the Mouse Spleen," <i>Bulletin of Experimental Biology</i> , 93(4):39-40 (1982)					

FORM PTO-1449 (Modified)		Attorney Docket No.: 15542-000540US	Application No.: 09/368,449
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant: GREEN <i>et al.</i>	
		Filing Date: August 4, 1999	Group: Unassigned
_____ BO	Goldstein <i>et al.</i> , "Purification and Biological Activity of Thymosin, a Hormone of the Thymus Gland," <i>Proc. Natl. Acad. Sci. USA</i> , 69:1800-1803 (1972)		
_____ BP	R.S. Chen, "Chemical Abstracts, Vol. 111 (7), Abstract No. 55230R (1989)		
_____ BQ	Fauszt <i>et al.</i> , "Synthesis of a proposed porcine growth hormone-releasing hormone (GH-RH) and the N-terminal decapeptide of the β -chain of human hemoglobin," <i>Chemical Abstracts</i> , Vol. 82 (11), Abstract No. 73453C (1975)		
_____ BR	Kuznik <i>et al.</i> , "Effect of Histamine and Thymaline on Blood Coagulability and Fibrinolysis in Intact and Thymectomized Rats," <i>Bulletin of Experimental Biology</i> , 94(9):27-29 (1982)		
_____ BS	Kusnik <i>et al.</i> , "Effect of Adrenalin and Thymus Factor on Blood Clotting Fibrinolysis in Healthy and Thymectomized Rats," <i>Bulletin of Experimental Biology</i> , 92(9):264-266 (1981)		
_____ BT	Low <i>et al.</i> , "Complete amino acid sequence of bovine thymosin β_4 : A thymic hormone that induces terminal deoxynucleotidyl transferase activity in thymocyte populations," <i>Proceedings of the National Academy of Science</i> , 78:1162-1166 (1981)		
_____ BU	Rodionov <i>et al.</i> , "The Immunocorrective Therapy of Pyodermas induced by Antibiotic-Polyresistant Staphylococci," <i>Vestn. Dermatol. Venerol.</i> , 1:42-45 (1990) (Medline Abstract 90224329)		
_____ BV	Solov'ev <i>et al.</i> , "Physiologically Active Substances Isolated from the Effects on Wound Healing After Cryosurgical Destruction in Rats," <i>Bulletin of Experimental Biology</i> , 84(9):355-358 (1977)		
_____ BW	Solov'ev <i>et al.</i> , "Morphological Changes in the Thymus After Thymalin Administration in Experimental Osteomyelitis," <i>Bulletin of Experimental Biology</i> , 95(6):123-124 (1983)		
_____ BX	"Thymogen" (Bulletin) 11/11/89 published by Cytomed (Leningrad)		
_____ BY	Yakovlev <i>et al.</i> , <u>Resistance Stress Regulation</u> , Nauka Publishers (Leningrad) pp. 90-93, 174-205 (1990)		
_____ BZ	<i>Remington's Pharmaceutical Science</i> , 17th ed., Mack Publishing Co., Easton, PA (1980)		
_____ CA	Solov'ev <i>et al.</i> , "Morphological Changes in the Thymus After Thymalin Administration in Experimental Osteomyelitis," <i>Bulletin of Experimental Biology</i> , 95(6):123-124 (1983)		
_____ CB	Tam <i>et al.</i> , "S _N 2 Deprotection of Synthetic Peptides with a Low Concentration of HF in Dimethyl Sulfide: Evidence and Application in Peptide Synthesis," <i>J. Am. Chem. Soc.</i> , 105:6442-6455 (1983)		
_____ CE	Declaration of Lawrence R. Green		
_____ CD	R.S. Chen, "Monte Carlo Simulations for the Study of Hemoglobin-Fragment Conformations," <i>Journal of Computational Chemistry</i> , 10(4):488-494 (1989)		
_____ CE	Bennett <i>et al.</i> , "Hemopeptides," <i>Chemical Abstracts</i> , 78(7) Abstract No. 43980 (1973)		
_____ CF	Hirschmann <i>et al.</i> , "Lysine-containing peptides," <i>Chemical Abstracts</i> , 79(11) Abstract No. 66820e (1973)		
_____ CG	Giori <i>et al.</i> , "Synthesis of some analogs of a proposed hypothalamic hormone," <i>Chemical Abstracts</i> , 89(25) Abstract No. 215752v (1978)		
_____ CH	Cola <i>et al.</i> , "Synthetic peptides reproducing the EGF-receptor segment homologous to the pp60 ^{v-src} phosphoacceptor site," <i>Chemical Abstracts</i> , 111(15) Abstract No. 129603p (1989)		
EXAMINER		DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.